

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JONATHAN WILKINSON,

Plaintiff,

v.

No. 1:20-cv-783 MV/KRS

JUSTIN MAESE, et al.,

Defendants.

**ORDER GRANTING IN PART MOTION
TO EXTEND TIME TO COMPLETE SERVICE**

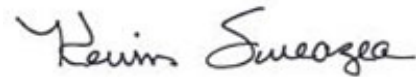
THIS MATTER is before the Court on Plaintiff's Motion for Extension of Time to Complete Service on Defendants Keith Tate and Environmental Services, filed August 30, 2021. (Doc. 46). Plaintiff asks for an extension to August 30, 2022 to complete service on Defendants Tate and Environmental Services. As grounds for the extension, Plaintiff documents the extensive efforts he has made to serve Defendants Tate and Environmental Services and states that these Defendants have "proven to be elusive." *See* (Doc. 46) at 4. Plaintiff further states that no party will be prejudiced by this lengthy extension because this case is stayed pending a ruling on Defendant Maese's Motion for Summary Judgment Based on Qualified Immunity. *Id.*

No response to the motion has been filed within the time prescribed for doing so, which constitutes consent to grant the motion under Local Rule 7.1(b). Having considered the Motion and record of the case, the Court will grant the motion in part. The Court finds that Plaintiff has set forth good cause for an extension of time to serve Defendants Tate and Environmental Services. A year-long extension, however, may be too lengthy if the summary judgment motion is resolved well before that date. Therefore, the Court will allow an extension for service on

these Defendants to 30 days after Defendant Maese's Motion for Summary Judgment Based on Qualified Immunity is ruled on, or to 30 days after any appeal of that decision is resolved.

IT IS THEREFORE ORDERED that Plaintiff is granted an extension of time to complete service on Defendants Keith Tate and Environmental Services until 30 days after Defendant Maese's Motion for Summary Judgment Based on Qualified Immunity is ruled on, or until 30 days after any appeal of that decision is resolved.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Kevin Sweazea". The signature is written in a cursive, flowing style. The first name "Kevin" is written in a smaller, more compact script, while the last name "Sweazea" is written in a larger, more expansive script with a long, sweeping tail on the final letter.

KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE